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7 Attorneys for Movants/Appellants  
Dynamic Finance Corporation and Angela C. Sabella  
8

9 **UNITED STATES DISTRICT COURT**  
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11  
12 In re  
13 NORTH PLAZA, LLC,  
14  
15 Debtor.

District Case No. 08-CV-01194-W-  
CAB  
Bankruptcy Court No. 04-00769-PB11  
Appeal No. 2

16 **APPELLANTS DYNAMIC**  
17 **FINANCE CORPORATION'S AND**  
18 **ANGELA C. SABELLA'S MOTION**  
**FOR VOLUNTARY DISMISSAL**  
**OF APPEAL**

19 ANGELA C. SABELLA and  
20 DYNAMIC FINANCE  
CORPORATION,  
21  
22 Appellants,  
v.  
23 CHAPTER 11 TRUSTEE RICHARD  
KIPPERMAN,  
24  
25 Appellee.  
26

Submitted : August 4, 2008  
Time : No appearances  
Courtroom : Seven

Honorable Thomas J. Whelan, Judge  
Presiding

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1 Appellants, Dynamic Finance Corporation and Angela C. Sabella, hereby  
2 move this Court pursuant to Federal Rule of Bankruptcy Procedure Rule  
3 8001 (c) (2) to voluntarily dismiss the appeal currently pending before this Court  
4 without prejudice with each party to bear their own attorneys fees and costs  
5 associated with the appeal.

6  
7  
8 DATED: August 4, 2008

FRANDZEL ROBINS BLOOM & CSATO, L.C.  
MICHAEL GERARD FLETCHER  
TRICIA L. LEGITTINO

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11 By: /s/ Tricia L. Legittino

12 TRICIA L. LEGITTINO

13 Attorneys for Appellants, Dynamic Finance  
14 Corporation and Angela C. Sabella  
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7 Attorneys for Appellants Dynamic  
Finance Corporation and Angela Sabella

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9 **UNITED STATES DISTRICT COURT**  
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12 In re  
13 NORTH PLAZA, LLC,  
14 Debtor.

District Case No. 08-CV-01194-W-  
CAB  
Bankruptcy Court No. 04-00769-PB11  
Appeal No. 2

**CERTIFICATE OF SERVICE**

17 ANGELA C. SABELLA and  
18 DYNAMIC FINANCE  
CORPORATION,

19 Appellants,

20 v.

21 CHAPTER 11 TRUSTEE RICHARD  
22 KIPPERMAN,

23 Appellee.

Submitted: August 4, 2008  
Courtroom: Seven

Honorable Thomas J. Whelan, Judge  
Presiding

24  
25 I, the undersigned, declare and certify as follows:

26 I am over the age of eighteen years, not a party to the within action and  
27 employed in the County of Los Angeles, State of California. I am employed in the  
office of FRANDZEL ROBINS BLOOM & CSATO, L.C., members of the Bar of  
the above-entitled Court, and I made the service referred to below at their direction.  
28 My business address is 6500 Wilshire Boulevard, Seventeenth Floor, Los Angeles,

California 90048-4920.

On August 4, 2008, I served true copy(ies) of the **APPELLANTS DYNAMIC FINANCE CORPORATION'S AND ANGELA C. SABELLA'S MOTION FOR VOLUNTARY DISMISSAL OF APPEAL**, the original(s) of which is(are) affixed hereto, to the party(ies) listed on the attached service list.

- ☐ **BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the United States Postal Service that same day in the ordinary course of business. Such document(s) were placed in envelopes addressed to the person(s) served hereunder for collection and mailing with postage thereon fully prepaid at Los Angeles, California, on that same day following ordinary business practices.
- ☐ **BY FACSIMILE:** At approximately \_\_\_\_\_, I caused said document(s) to be transmitted by facsimile. The telephone number of the sending facsimile machine was (323) 651-2577. The name(s) and facsimile machine telephone number(s) of the person(s) served are set forth in the service list. The document was transmitted by facsimile transmission, and the sending facsimile machine properly issued a transmission report confirming that the transmission was complete and without error.
- ☐ **BY E-MAIL:** At approximately \_\_\_\_\_, I caused said document(s) to be transmitted by electronic mail. The name(s) and e-mail addresses of the person(s) served are set forth in the service list. The document was transmitted by electronic transmission and without error.
- ☒ **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I caused said document(s) to be served by means of this Court's electronic transmission of the Notice of Electronic Filing through the Court's transmission facilities, to the parties and/or counsel who are registered CM/ECF Users set forth in the service list obtained from this Court.
- ☐ **BY OVERNIGHT DELIVERY:** I deposited such document(s) in a box or other facility regularly maintained by the overnight service carrier, or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier with delivery fees paid or provided for, addressed to the person(s) served hereunder.
- ☐ **BY EXPRESS MAIL:** I deposited such document(s) in a box or other facility regularly maintained by the United States Postal Service, in an envelope or package designated by the United States Postal Service with delivery fees paid or provided for, addressed to the person(s) served hereunder.
- ☐ **BY PERSONAL SERVICE:** I personally delivered such document(s) to the person(s) served hereunder.

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1 I certify under penalty of perjury under the laws of the State of California and  
2 the United States of America that the foregoing is true and correct.

3 Executed on August 4, 2008, at Los Angeles, California.

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